

Before the Florida Judicial Qualifications Commission
State of Florida

Inquiry Concerning a Judge
No. 04-455, Judge John R. Sloop

Supreme Court of Florida
Case No.: SC05-555

ANSWER AND AFFIRMATIVE DEFENSES
TO AMENDED NOTICE OF FORMAL CHARGES

The Honorable John R. Sloop, by and through his undersigned attorney, and pursuant to Rule 9 of the Florida Judicial Qualifications Commission Rules, files this Answer and Affirmative Defenses to the Amended Notice of Formal Charges served on or about July 12, 2005. In response to the particular numbered paragraphs, one (1) through four (4), of the Amended Notice of Formal Charges, the Honorable John R. Sloop answers as follows:

ANSWER

1. Admit to issuing arrest warrants on December 3, 2004, for criminal traffic misdemeanor Defendants who were not present when names were called at docket sounding and had either overlooked their written notice to be in Courtroom A1 A@ or had been improperly/mistakenly directed to Courtroom A1 B@ by judicial deputy sheriffs performing security duties at the front door or by other persons unknown.

Admit that after court was in recess and personnel had left, and after the warrants had been issued at docket sounding, Judge Sloop was told that several criminal defendants had been in

Courtroom A1 B@ and arrest warrants should not be issued. Admit reversing decision upon reflection during noon recess and signing written orders for their A immediate release ROR@ which the Clerk received at 2:22 and 2:23 p.m. and which were fax transmitted to the jail by 3:49 p.m.

Admit this occurred before Chief Judge James E.C. Perry contacted Jail Director Diggs by telephone to order the release of those defendants. Chief Judge Perry had contacted Jail Director Diggs following the issuance of the order entered by Judge Sloop to release said defendants as stated above.

2. Admit that Judge Sloop departed from his 14 year practice of issuing warrants at the end of the docket, he instead issued them as each defendant-s name was called during the week of November 29, 2004. Judge Sloop was advised that other Seminole County Judges handled their dockets by immediately issuing warrants at the time the name was called instead of waiting until the end of the docket. During the week of November 29, 2004, Judge Sloop conformed to that practice by immediately issuing warrants, this had not been the ordinary practice of his Court.

3. Admit to requiring Defendant Ramos, Case No. 04-2343-CFA, who was accused with stabbing his pregnant girlfriend, to participate in electronic monitoring to protect the victim and was unaware after ordering his release on electronic monitoring that Defendant Ramos did not qualify for electronic monitoring. His lawyer did not advise Judge Sloop that Mr. Ramos was unable to be

released. After Defendant Ramos's case was assigned to the felony division he was released on his own recognizance by another judge.

Judge Sloop is further unaware that Defendant Jones sought a writ of habeas corpus to obtain his release and has no knowledge as to Defendant Jones being unlawfully detained by this Court.

4. Admit that in State v. Mercano, 94-12684-MMA, at the October 18, 2004, sentence review hearing regarding a Defendant who had made no effort to pay outstanding fines and court costs for over ten (10) years, Judge Sloop was inappropriately abrupt and rude in his attempt to get Defendant to accept her responsibility to her debt and agree to a deadline. The debt was paid on October 19, 2004. The video of proceedings before and after this case show Judge Sloop's normal courtroom decorum.

AFFIRMATIVE DEFENSES

1. After the events alleged within Count I of the Amended Formal Charges occurred, Judge Sloop recognized he may be suffering from a disorder which effected his ability to remain focused and to make quick decisions. He has since obtained professional counseling and been found by said professional to be suffering from Adult Attention Deficit Hyperactivity Disorder. Judge Sloop is now being treated with daily medication which has been instrumental in correcting inappropriate behavior as was alleged in Count IV of the Amended Formal Charges.

2. Once Judge Sloop ordered the release of the Defendants within Count I of the Amended Formal Charges, he assumed they would all be released promptly and had no knowledge that any of those Defendants were held for an exceptional period of time.

3. Judge Sloop was further unaware that Defendant Ramos in Count III of the Amended Formal Charges did not qualify for electronic monitoring. No person at any time brought this back to the Courts attention so the Court could order another form of release for Defendant Ramos.

I HEREBY CERTIFY that a true and correct copy of this document has been delivered by Regular US Mail to Lauri Waldman Ross, Esquire, *Lauri Waldman Ross, P.A.*, Two Datran Center, Suite 1612, 9130 South Dadeland Blvd., Miami, Florida 33156-7818, Special Counsel for the Florida Judicial Qualifications Commission, and Thomas C. MacDonald, Jr., Esq., 1904 Holly Lane, Tampa, Florida 33629, General Counsel for the Florida Judicial Qualifications Commission on this 1st day of August, 2005, by Regular US Mail.

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